

Attorney's Docket: 037003-0275681
Client Reference: 1995-0233/US 004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
DARRELL ANDERSON, et al.

Confirmation No: 2393

Application No.: 09/576,424

Group Art Unit: 1644

Filed: May 22, 2000

Examiner: Phillip Gambel

For: TREATING INTESTINAL INFLAMMATION WITH ANTI-CD80 ANTIBODIES
THAT DO NOT INHIBIT CD80 BINDING TO CTLA-4

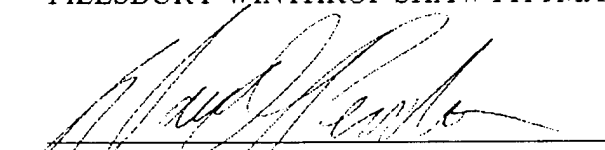
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 CFR § 1.8**

I hereby certify that the following papers are being facsimile transmitted to the
Patent and Trademark Office at (571) 273-8300 on the date shown below:

PILLSBURY WINTHROP SHAW PITTMAN LLP


Donna O. Perdue
Registration No. 51166

Date: October 8, 2010
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 770-7900
Facsimile: (703) 770-7901
Customer No. 00909

(Certification of Facsimile Transmission--page 1)

601295323v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Darrell R. ANDERSON et al.

Application No. 09/576,424

Filed: May 22, 2000

Patent No. 7,175,847

Issued: February 13, 2007

Confirmation No.: 2393

Group Art Unit: 1644

Examiner: Phillip Gambel

Title: TREATING INTESTINAL INFLAMMATION WITH ANTI-CD80 ANTIBODIES THAT DO NOT INHIBIT CD80 BINDING TO CTLA-4

NOTICE OF LOSS OF ENTITLEMENT TO CLAIM SMALL ENTITY

STATUS PURSUANT TO 37 C.F.R. § 1.27(g)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.27(g) the applicants, through the undersigned, hereby give notice that they are no longer entitled to claim small entity status.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

Date: October 8, 2010

By: 

Donna O. Perdue, Ph.D., J.D.

Registration No. 51,166

Customer No. 00909

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McLean, VA 22102
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(858) 509-4010 Facsimile

601281946v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No.: 2393

Darrell R. ANDERSON et al.

Group Art Unit: 1644

Application No. 09/576,424

Examiner: Phillip Gambel

Filed: May 22, 2000

Patent No. 7,175,847

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Title: TREATING INTESTINAL INFLAMMATION WITH ANTI-CD80 ANTIBODIES THAT DO NOT
INHIBIT CD80 BINDING TO CTLA-4

PAYMENT OF DEFICIENCY OWED
DUE TO ERRONEOUS SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being submitted to address a good faith error in payment of maintenance fees as a small entity.

An executed Statement Claiming Small Entity Status was filed on July 13, 2000. However, fees were paid at the large entity rate during prosecution from May 12, 2003, onwards, and the issue fee was paid at the large entity rate with small entity status disclaimed on the Fee Transmittal form filed August 30, 2006. However, it has come to our attention that the United States Patent and Trademark Office was not notified of a loss of entitlement to small entity status for the above-referenced patent, as required by 37 C.F.R. § 1.27(g)(2).

In accordance with 37 C.F.R. § 1.28(c) *et seq*, we provide an itemization of the deficiency payment below:


Type of fee erroneously paid:	Maintenance Fees (3.5 years)
Small entity fee paid:	\$490.00
Date small entity fee was paid:	August 13, 2010
Deficiency owed:	Maintenance fee \$490
	Surcharge (large entity) \$130
Total deficiency payment owed:	\$620.00

This deficiency payment reflects the difference between the 3½ Maintenance Fee for a small entity paid on August 13, 2010, and the current 3½ year Maintenance Fee payment for a non-small entity. Additionally, because this deficiency payment is being made during the grace period for payment of the 3½ year Maintenance Fee (between 3 years 6 months from issuance and 4 years from issuance), the current large entity surcharge for payment of the 3½ year Maintenance Fee is also included in the deficiency payment amount.

Please charge any fees associated with the filing of this document to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any overpayments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

By: _____



Donna O. Perdue, Ph.D., J.D.
Registration No. 51,166
Customer No. 00909

Date: October 8, 2010

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
620.00**Complete If Known**

Application Number	09/576,424
Filing Date	May 22, 2000
First Named Inventor	Darrell ANDERSON, et al.
Examiner Name	Phillip Gambel
Art Unit	1644
Attorney Docket No.	037003-0275681

RECEIVED**OCT 15 2010****OFFICE OF PETITIONS****METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: Pillsbury Winthrop Shaw Pittman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Payment of Deficiency Owed Due to Erroneous Small Entity Status

620.00

SUBMITTED BY

Signature	Registration No. 51166	Telephone (703) 770-7900
Name (Print/Type) Donna O. Perdue	(Attorney/Agent)	Date 10/08/2010

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 620.00

Complete if Known

Application Number 09/576,424
 Filing Date May 22, 2000
 First Named Inventor Darrell ANDERSON, et al.
 Examiner Name Phillip Gambel
 Art Unit 1644
 Attorney Docket No. 037003-0275681

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OCT 15 2010

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: Pillsbury Winthrop Shaw Pittman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
52	26
220	110
390	195

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims
Fee (\$) **Fee Paid (\$)**

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Payment of Deficiency Owed Due to Erroneous Small Entity Status

Fees Paid (\$)

620.00

SUBMITTED BY

Signature _____ Registration No. 51166 Telephone (703) 770-7900
 Name (Print/Type) Donna O. Ferdue (Attorney/Agent) Date 10/08/2010

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAINTENANCE FEE TRANSMITTAL FORM

(Do not submit this form electronically via EFS-Web)

Address to:
Director of the United States
Patent and Trademark Office
Attn: Maintenance Fee
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

- OR -

Fax to: 571-273-6500

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on _____

Signature _____

Typed or printed name _____

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☐ A check for the amount of \$ _____ for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
2. ☐ Payment by credit card. Form PTO-2038 is enclosed.
3. ☒ The Director is hereby authorized to charge \$ 620.00 to cover the payment of the fee(s) indicated below to Deposit Account No. 033975.
4. ☐ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. _____.

* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5).

Item	Patent Number* Column 1	U.S. Application Number* (e.g., 06/555,555) Column 2	Maintenance Fee Amount (37 CFR 1.20(e)-(g)) Column 3	Surcharge Amount (37 CFR 1.20(h)) Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	7,175,847	09/576,424	490.00	130.00	<input checked="" type="checkbox"/>		
2					10/14/2010 MBANGURA 00000045	033975	7175847
3					01 FC:1599	490.00 DA	
4							
5							

Subtotals: Columns 3 & 4

490.00

130.00

Total Payment

620.00

☐ _____ additional sheets attached for listing additional patents.

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Respectfully submitted, **

Customer's Signature _____

Customer's Name Donna O. Perdue

Registration Number, if applicable: 51166

Telephone: (703) 770-7900

Fax: (703) 770-7901

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314.

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